

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

MARK I. SOKOLOW, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Docket No.
)	04-cv-397 (GBD) (RLE)
THE PALESTINE LIBERATION ORGANIZATION, <i>et al.</i> ,)	
)	
Defendants.)	
)	
)	

**DEFENDANTS' NOTICE OF COURT OF APPEALS ORDER GRANTING
DEFENDANTS' MOTION FOR EXPEDITED REVIEW**

Defendants the Palestinian Authority and the Palestine Liberation Organization hereby inform the Court of an important development in their appeal of the Court's personal jurisdiction ruling. Earlier today, the U.S. Court of Appeals for the Second Circuit entered an order granting Defendants' motion for expedited review of their petition for a writ of mandamus on the personal jurisdiction issue. The order is attached as Exhibit A. The Court of Appeals has ordered the Plaintiffs to respond to Defendants' petition by Monday, December 15, 2014. *Id.*

Defendants' motion to this Court for a stay is pending. DE 665, 666.¹ When Defendants filed their motion to stay, the Court of Appeals had not yet ruled on the motion to expedite. The Court of Appeals' decision to expedite review of Defendants' mandamus petition does not eliminate the need for this Court to stay the proceedings and adjourn the January 12, 2015 trial date. Rather it supports that pending motion because today's order indicates that the petition will

¹ The motion and supporting memorandum were filed yesterday as DE 664. At the request of the Court, the motion and memorandum were re-filed today as two separate documents, DE 665 and DE 666.

not be summarily denied, and that it will be considered by the Court of Appeals on its merits.

See Fed. R. App. 21(b)(1) (“The court may deny the petition without an answer. Otherwise, it must order the respondent . . . to answer within a fixed time.”). The order therefore is consistent with Defendants’ view that the petition has at least a substantial possibility of success on appeal. In addition, this afternoon, Plaintiffs filed at the Court of Appeals a motion for extension of time to have until December 22 to file their response brief. Exh. B. Defendants do not consent to that extension request but, in the event it is granted, that extension would obviously delay the date by which the Court of Appeals could rule on the Petition, and concomitantly increase the risk of irreparable harm to the Defendants. Accordingly, the Court should grant the pending motion to stay for these reasons as well as those previously stated. *See* DE 666.

December 9, 2014

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on this 9th day of December, 2014, a true and genuine copy of the foregoing was filed by ECF, which automatically provided service to all ECF counsel of record.

/s/ Laura G. Ferguson
Laura G. Ferguson